

**BOARD OF PARK COMMISSIONERS
REGULAR MEETING
Park and Recreation Department
Conference Room, 11th Floor, City Hall
Monday, November 8, 2004
3:30 p.m.**

Present: Bob Aldrich, June Bailey, Colleen Craig, Glen Dey, Bobbie Harris, Janet Miller

Absent: Dennis Brunner

Also Present: Buff Farrow – Friends of Riverside Tennis Association (FRTA); Rodney Steven II, Greg Ferris, Simon Norman – Genesis Health Clubs Management LLC; Martin Hanney – Hanney & Associates Architects; Lee Engler – Wilson Darnell Mann (WDM), PA; Chuck Hill - Cornejo & Sons, Inc.; and Doug Kupper, Larry Foos, Larry Hoetmer and Maryann Crockett (staff)

President Bailey called the meeting to order at approximately 3:30 p.m. The minutes of the October 18, 2004, Regular Meeting were reviewed and approved as amended.

PUBLIC AGENDA

The following individual spoke:

- Don Jackson - said he was a member of the Oz Bicycle Club. He commented about the lack of signage at major intersections along the bicycle trail as well as signage on how to access the trail. He said he felt it would be a good idea to post beginning and ending distances, as well as intermediate distances along the trail.

Director Kupper explained that the Park Department and Public Works Department were currently working on a project to design signs, establish locations, and assess costs to provide signage along the City bicycle path.

REGULAR AGENDA

1. **Discussion of Indoor Tennis Center Proposals**. Director Kupper briefly reviewed the item stating that the Friends of the Riverside Tennis Association (FRTA) and Genesis Health Clubs each submitted a proposal in response to the City's Request For Proposal (RFP) to build and manage an indoor tennis center at Ralph Wulz Riverside Tennis Complex. He said the City has agreed to provide \$2.5 million for construction costs with a match of \$2.5 million from the selected organization. The City would be the property owner and the selected agency would operate the facility. The year-round recreation center would target serving children and families of all ages, especially those of special needs including at-risk children and individuals with disabilities. He said an additional purpose would be to increase tournament play, professional tennis events and exhibitions, and be available for high school and college tennis matches and tournaments. He explained that the two respondents were at the meeting to present their proposals and immediately following their presentations, there would be a question and answer period followed by public comment.

Bobbie Harris stated that the Board had already voted on the issue and asked why the matter was coming back to the Board for review. Director Kupper commented that the Board voted to recommend who could respond to the RFP. He added that the City Council had requested that responses be presented to the Park Board and the District Advisory Boards (DAB's).

Buff Farrow, President, Friends of Riverside Tennis Association (FRTA), began his presentation by stating the FRTA was a non-profit association who had been working with the City for five years. He said the RFTA proposal would serve all of the community. He gave a brief background of his experience and credentials stating that he was a former All American from UCLA and a member of the United States Tennis Association (USTA), where he currently serves on two national committees. He also mentioned that he serves on the Kansas District Board of Directors and commented on his association with the Davis Cup Team and professional circuits committee, where he is involved in reviewing proposals for tennis programs and grant requests for community projects from all over the country. He also commented on his work developing programs for special populations.

Mr. Farrow said he believed his management team ties with the USTA would give the FRTA access to some powerful partnership opportunities. He indicated the FRTA's intention to work with groups such as the Maureen Connolly Brinker Foundation to provide year round tennis programs to children of all income levels, and underserved and at-risk youth as well as disabled and disadvantaged individuals and groups. He spoke of collaborations with USD #259, YMCA, and the Wichita Youth Alliance to provide youth activities and after school programs as well as providing transportation to and from the tennis center. He said FRTA would also provide outreach services, curriculum, expert instructors and equipment for the programs. He mentioned other educational programs to be offered at the center such as computers, mentoring, and tutoring.

Mr. Farrow stated that in addition to working with youth and the community, FRTA would work to promote tournaments and other public programs for all ages. He mentioned traveling teams and hosting special events like the NCA Division I championship games that were held in Tulsa, OK. He said specialized staff would provide coordination for youth and senior activities. He said FRTA would also provide volunteers for program activities and scheduled events and form regional and corporate partnerships, as well as drawing on significant local private contributors. He briefly mentioned the proposed three-court design and added that the proposed FRTA indoor tennis complex would be a huge asset to the neighborhood and South Riverside Park.

Mr. Farrow reviewed FRTA financial data and stated that there would be no "co-mingling of funds"; that FRTA proposed to be completely self-sufficient and profitable within two years; however, he said FRTA had established a \$500,000 endowment fund to cover any losses so the City would not have to subsidize the center. He mentioned the economic impact to the City of the Women's Bowling Congress (estimated at \$3.87 million) and commented that he felt a world-class indoor tennis center such as the FRTA was proposing could have the same impact.

Mr. Farrow mentioned Don Wilson of Wilson Darnell Mann, PA and the grand vision Mr. Wilson had for the tennis center tying it into the entire river corridor and enhancing the investment the City had made in the area. Mr. Farrow briefly reviewed the advantages of awarding the contract to a non-profit organization including access to grant funding sometimes only awarded to agencies with a 501©(3) status from the Internal Revenue Service (IRS) from organizations including, but not limited to: the USTA, the Maureen Connolly Brinker Foundation, the Forest Lattner Foundation, the Marion Fulmer Memorial and others in addition to the FRTA's ability to raise private donations. He said currently,

FRTA has \$3.5 million pledged to the project. Mr. Farrow apologized that the representative from the Maureen Connolly Brinker Foundation could not be present for the presentation due to illness.

Mr. Farrow provided board members a handout, which was a summary of the reasons to support the FRTA proposal to develop and manage the year-round tennis facility at Riverside Park. He also referred board members to a proposed "Public Park Tennis Program" handout and letters of support provided with the FRTA's proposal. He concluded by stating the FRTA felt that a non-profit organization could better serve the whole community and put Wichita on the map as a host for national sporting events.

President Bailey asked if there were any public comments or questions. The following individuals spoke:

- Phyllis Decker – commented that the Maureen Connolly Brinker Foundation was founded thirty years ago and that they have been very successful at fundraising and providing funding for various tennis programs. She said presently their By Laws prohibited them from supporting a for profit organization.
- Rick Nutt - said this was a long-term commitment, and asked what was going to happen 6-9 months or fifty years down the road. He asked if the City would have to step in at some time.

Mr. Farrow reiterated that the FRTA had an endowment set aside, as well as other financial assurances and reasonable projections on revenues and expenses.

Bob Aldrich said one of his concerns was repair and renovation of other tennis courts located in neighborhood parks throughout the City. Mr. Farrow agreed that some of the neighborhood courts were in horrible condition. Director Kupper commented that money has been set-aside in the Capital Improvement Program (CIP) budget for tennis court repair/renovation. Mr. Farrow commented that FRTA would provide programs for children in those neighborhoods, either at the neighborhood courts or at the Riverside tennis center.

Janet Miller asked if the Maureen Connolly Brinker Foundation was already holding the \$3.5 million the FRTA had pledged to the project. Mr. Farrow responded that FRTA had HUD grant funds and pledges. Glen Dey asked how the FRTA would involve the neighborhood associations. Mr. Farrow said they had a strong public park program and that they would be using both instructors and volunteers from the Riverside neighborhood. Responding to a question from Bob Aldrich, Mr. Farrow explained that the FRTA had presented their proposal to DAB VI where there were a lot of non-tennis people; however, he said FRTA felt they could market the year round indoor facility by studying player habits, seeking citizen input and feedback and adjusting programming.

Rodney Steven II, President Genesis Health Clubs, began his presentation by referring board members to a tabletop model of the tennis facility designed by Hanney & Associates Architects, which he said was Genesis' vision of the Riverside Tennis Center Project. He commented that tennis was a major part of his life and that Genesis wanted to make tennis affordable and available to all citizens of Wichita. He referenced the experience Genesis gained when they purchased the Wichita Racket Club and their on-going programs to bring more adults and children into their tennis programs there by providing scholarships and grants to promote their programs. He said the Genesis proposal would provide a well-built facility at no cost to the Park Department or City that would provide

low-cost tennis programs combined with a fitness center. He said they estimated the center could bring as many as 1,000 people a week to the downtown area, which would also provide additional economic impact to the area. He said they have extensive operational experience (after purchasing four failing health clubs and making them successful), which he added is critical to this project. He said he and his staff “know what works, and what doesn’t”. He said tennis combined with fitness was a good approach to this project, because stand-alone tennis centers were no longer considered economically viable projects.

Mr. Steven briefly mentioned partnerships between the Genesis/Racquet Club and USD #259 (Jardine School in particular) and the Maureen Connolly Brinker Tennis Foundation. He commented on the professional instructors at the Club and introduced Simon Norman, Director of Tennis, Genesis Health Clubs.

Mr. Norman briefly reviewed his background stating that he has played professionally and coached tennis nationally and internationally in four different countries over the past thirty years. He said he has taught full-time at the Club for over seventeen years, overseeing the Maureen Connolly Brinker summer lesson program, which reaches more than 600 second through eighth graders each summer. He stated that he was also currently on the Board of Directors of the Maureen Connolly Brinker Foundation. He commented on several programs being offered by the Club including free tennis lessons, free court time, and clinics to over 1,000 students from USD #259 and the Association of Retarded Citizens through the Maureen Connolly Brinker Foundation. He also mentioned partnerships for clinics and other physical education programs and junior tennis programs with Northwest High School and Wichita State University, many of which were provided by volunteer tennis professionals. He concluded by stating that the Genesis/Racquet Club was already providing the types of programs requested in the tennis center RFP and that they had years of experience administering and operating those types of programs.

Mr. Steven spoke about how Genesis would provide affordable year round indoor tennis and outdoor tennis, including four hours of free court time per day. He said they planned programs for at-risk and physically challenged citizens, community outreach programs, and programs for every age and ability level. He stated that indoor court fees would be established based on City guidelines and other factors. He said hosting more and larger, national and international tournaments would be possible with the Genesis proposed facility. He added that with the establishment of the non-profit Wichita Tennis Foundation (WTA) Genesis would also have the ability to provide scholarships and apply for grant funding. He added that a City representative would be invited to serve on the WTA board. He concluded by saying that the success of the Riverside Tennis Center would require a health club organization with a professional track record, personnel, and the ability to promote and market the center through a variety of sources including direct mail, radio and other media.

Greg Ferris commented that private, for profit companies, currently run several of the City golf courses. He said the golf professionals were contract managers and operated the clubhouse and collected green fees and cart rental fees, of which they earned a percentage. He said that practice or the co-mingling of funds has never been questioned. He added that the City had accounting practices to keep funds separate. He commented that the Park Board has previously endorsed for profit businesses when it made sense and was a benefit to the community.

Martin Hanney – Hanney & Associates Architects briefly reviewed the tennis center site plan commenting that they felt the plan would enhance the site as well as the surrounding community. He

commented on the need to reconfigure the parking area, add additional spaces and provide space for buses. He said at the same time they wanted to preserve the trees and be sensitive to the neighbors. He said the building exterior emulates the site and mentioned the four-foot berms around the outside perimeter to provide flood control. He mentioned building security, the entrance plaza, and the additional fitness services to be housed on the upper level of the building.

Greg Ferris said Genesis Health Clubs was prepared to contribute more than \$2.5 million for construction of the Riverside Tennis Center project. He said in addition, private funding would reduce the city's participation. He said Genesis would provide tennis court maintenance, daily operating expenses, utilities, and liability insurance to run the center. He said the City would encumber no development or management fees on the project. He said Genesis also had additional funds for existing and new programs, as well as a cash reserves and that they would be using their own resources against future liability. He concluded by saying that Genesis had the demonstrated ability and experience to construct and operate the project.

Bob Aldrich asked about the size of the proposed health club. Mr. Steven said it was approximately 9,000 square feet. Bob Aldrich also asked about plans to help other tennis courts throughout the City. Mr. Steven explained that Genesis had outreach programs in six different areas of the City and that they would like to go to the parks; however, at the present time they did not have that partnership relationship with the City. Director Kupper mentioned that repair/renovation of neighborhood tennis courts was not part of the RFP.

Janet Miller said she wanted to clarify for the record that in the three and a half years she has been a Park Board member, the Board has never participated in a review of the contracts for golf course professionals. Director Kupper explained that from 1998 through December 2003, the City golf course program had been under the supervision and management of the Finance Department and that the contracts negotiated with the golf professionals were for four-year terms.

Glen Dey said he was concerned with setting a precedent and mentioned the difference between public land and parkland. He also mentioned development of the downtown arena and the water walk. He said other parts of the City might appreciate the opportunity to develop an indoor tennis center and that there were additional considerations above and beyond the presentations. Director Kupper explained that the City Council established the task of locating a partner for the indoor tennis facility at Riverside Park. He said the appropriateness of the location has already been decided.

President Bailey clarified that the fitness center was a full-blown health club. Director Kupper commented that providing additional recreation opportunities was part of the RFP. Responding to another question, he also explained that the FRTA proposal included aerobic classes, treadmills and other activities. President Bailey asked about charging membership fees for use of the indoor facilities. Mr. Farrow commented that the FRTA facility would be completely open to the public. Mr. Steven commented that stand-alone tennis facilities were impossible to maintain and that the fitness club would charge membership dues. He also stated that anyone could pay a daily fee to use the center. President Bailey asked if the indoor tennis center was really needed. She commented that she had received several phone calls regarding further development and funds being spent in Riverside Park, particularly right after the recent million-dollar renovation to the park.

Mr. Steven commented that it was an opportunity to develop a first class operation. Janet Miller asked about development of new "tennis only" facilities. There was brief discussion and Mr. Farrow

and Mr. Steven disagreed on the economic feasibility of “stand alone” tennis facilities. President Bailey asked about provisions for low-income participants. Mr. Steven responded that they had made provision for reduced court fees at certain hours of the day and would work out a fee schedule in accordance with City guidelines.

Janet Miller asked if the Wichita Tennis Foundation (WTA) was a separate 501©(3) organization or would it be operating as part of the for-profit company. Greg Ferris said the WTA was a non-profit organization specifically to raise funds. Mr. Stevens commented that the WTA was not included in the financial projections provided by Genesis. Mr. Ferris clarified that the tennis center would not be operated by the non-profit WTA, but rather by the for-profit entity, which included the fitness center.

President Bailey asked if there were any public comments or questions. The following individuals spoke:

- Rick Nutt – asked how Genesis would accommodate out-of-town tennis players and would the public be allowed access to the gym area. Mr. Steven commented that the proposed evening hours at the center were 6:00-10:00 p.m. He said there would be a daily fee for the gym and added that there was also a proposed walking/running track around the entire facility.
- Buck Cates – commented that although the “Friends” group had been working on the idea of an indoor tennis center for five years; he said he has known Mr. Steven on a business and personal basis and that Mr. Steven is a planner and has a solid work plan.
- Dave Ware – said the City partnering with another business to make a profit was good business. He said Genesis was a professional outfit interested in the community.
- Jason Brittain – commented that he has attended some of the DAB meetings where the proposals were presented to get more information about both proposals. He said both proposals have positives and negatives; however, he was concerned about other downtown attractions (Ice Sports Center, Lawrence Dumont Stadium and Exploration Place) failing or operating in the red and the City having to do something. He said a business that could operate and make a living for its employee’s benefits the whole community.
- Carol Ware – mentioned newspaper articles stating that Wichita can’t keep its young people here. She commented that Mr. Steven was a young, successful businessman and that he should be allowed the opportunity to contribute to the community and promote Wichita.
- Kathy Dittmer – said as President of the Riverside Citizens Association (RCA), she had surveyed association members regarding the tennis center in Riverside Park. She stated 65 (out of the 1,400 members) who responded, provided the following information: all but four would like to see a regional tennis center in Riverside; a non-profit agency was favored 3-1, but eight people didn’t care whether the agency was profit or non-profit; and fourteen families said they would use the facility and agreed that Riverside Park was a regional park that belonged to everyone. She also stated that residents thought the tennis center would be a good thing for the community at large.

Mr. Steven asked about the Matrix developed by the Staff Screening Selection Committee for the proposal. Director Kupper said he could not answer that question at this time.

- Shirley West – said she is a 20 year resident of Wichita and has been a member of several other health clubs over the years; however, she said no one does it better than Genesis. She mentioned that the equipment always worked and that the professional staff worked with people of any age and any fitness level. She said she felt Ron Steven had leadership and vision and encouraged the City to work with Genesis.
- M. S. Mitchell – clarified that Greg Ferris and his wife started the idea of an indoor tennis center several years ago. He commented that regardless of the result of the proposal selection process, the tennis center would be a great benefit to the community. He also provided the Board with a handout summarizing his four reasons for supporting FRTA.
- Lindsey Hall – commented that she and her husband started going to Genesis four years ago and it would be a benefit to many to have a facility near the downtown area.
- John Stevens – suggested that the groups get together and form one organization. He added that there was still the issue of taking care of the parks that already exist, and he asked the Board to consider the maintenance of all parks.

President Bailey asked staff to address the City's funding of the proposal. Director Kupper explained that in 2002 a consultant had estimated the cost to build an indoor tennis center at \$5 million. He said \$2.5 was allocated in the Capital Improvement Program (CIP) for the project, and staff was directed to develop an RFP to seek a partner for the other \$2.5 million.

Bobbie Harris asked Director Kupper to answer Mr. Steven's question regarding the Matrix. Director Kupper explained that the City had appointed a Staff Screening Selection Committee to review and evaluate the two proposals. He said composition of the committee was covered by Administrative Regulation and consisted of a representative from the Public Works Department; Planning Department; Finance Department; Law Department; and Purchasing as well as the department concerned with the RFP, in this case the Park Department. He said the committee developed evaluation criteria and ranked each criterion on a scale of 1-5 to develop a Matrix. He said results of the committee evaluation were Genesis 79.2 and FRTA 59.4. He said since neither agency scored a 4 or better in each category, there was no clear choice. This information was reported to the City Council who determined that they would like additional recommendations from the District Advisory Boards and the Park Board.

There was discussion concerning the feasibility study that was done to determine the need for the indoor tennis facility. Janet Miller clarified that the Matrix that was developed matched the RFP. Staff said that was correct. The Board reviewed the input from four of the District Advisory Board's noting that only DAB III voted on the issue and that their vote was to recommend approval of the Genesis proposal.

There was discussion concerning developing a survey through Wichita State University to gain public input on the issue. Several board members also expressed concern about the inadequacy of the current Park Department budget and what impact the tennis center may have on the budget. The Board agreed that they would also like to review the market feasibility study on the tennis center prior to making any decision. Janet Miller indicated that if the former feasibility study was conducted by the City, she would like to have a copy of it to review. Director Kupper made a note to provide her a copy.

President Bailey asked about the possibility of the two groups working together on a proposal. Bobbie Harris clarified that it seemed that several board members were not ready to make a decision and she couldn't understand that. She said a lot of people had invested a lot of time on the project.

Mr. Stevens commented that the City definitely wanted the indoor tennis center project at Riverside Park. Janet Miller said she felt having a community driven tennis center made sense because it would generate more volunteer support and more access to a wider population. She said there were a lot of good things about the non-profit way to go about accomplishing this project on park property; however, she had concerns about the non-profit proposal. She added that she also had an issue regarding a for-profit entity developing a business on one of the prime centrally located park sites in the City. She said she would like more information even if the project gets delayed another month before making a choice on the proposals. She acknowledged that the Board did vote to recommend that the Council only solicit proposals from non-profit organizations.

President Bailey asked if staff could get direction from the City Manager regarding the proposed survey and meet with the City Council in a workshop setting. Director Kupper commented that the proposals were due to be discussed at a Council workshop on Tuesday, November 23, 2004. President Bailey asked if staff had reviewed the financials submitted by both organizations to verify their accuracy. Staff said they felt the figures were as solid as could be expected from a proposal.

Janet Miller indicated that if the financial figures provided by Genesis were accurate; and that a combined tennis and fitness center could net the Park Department \$300,000 per year as proposed, why wouldn't the Park Department want to consider running the operation and using that income to supplement the current park maintenance budget that only allowed mowing of grass every 21-28 days? Director Kupper commented that the Board was facing more than one issue.

There was discussion concerning the number of indoor tennis courts available in Wichita (20). Mr. Stevens commented that if the six courts at the center start to make a profit, Genesis would be willing to negotiate a bigger profit percentage to the City. He said from a business standpoint, the City subsidizes ten recreation centers; he said Genesis needed to make money to pay for operating costs. Mr. Farrow commented that donors to the FRTA would not want their funds co-mingled with a for-profit entity. There was continued discussion as to whether six more indoor tennis courts were needed in Wichita.

Glen Dey said he thought people should stop using the term "subsidize". He said he felt the City was obligated to provide recreational types of activities to the citizens of Wichita. Bob Aldrich said in order to protect the City and citizens; he felt the board needed to have citizen input on the proposals. Bobbie Harris asked why these questions weren't brought up in previous Board discussion on the subject. President Bailey clarified that the Board had voted to only solicit proposals from non-profits; however, she added that other things have changed. Bobbie Harris stated that she was ready to make a decision. Janet Miller commented that if the City went with the non-profit option, she didn't feel the Board had a clear idea of what that was going to cost the City. She also said she would like to see a citizen input survey on the project. She asked if a non-profit center would be able to pay for itself through the years. She also added that she was aware that a lot of people did not want a for-profit business in the park. She acknowledged that Ms. Harris had been involved in the development of the not-for-profit proposal and said she apologized if Ms. Harris was upset and couldn't understand that other board members needed additional information before they could fully understand the proposals.

and make an informed decision. President Bailey commented that the Board could not make a mistake on this project recommendation. There was discussion concerning various survey methods and time lines.

Mr. Stevens agreed that it was a very complex issue. He referred board members to Genesis' summary of both proposals. He also commented that he thought the City Council would make a decision at the November 23 workshop regarding the project.

Janet Miller said her preference was to defer the item or hold a special board meeting to discuss the item before November 23. She acknowledged that the project might go forward with or without the Park Board's input. She asked the other board members about deferring a decision, and supporting the proposed citizen survey to be done by a professional survey company and convening a special board meeting prior to November 23. President Bailey also requested that the Board's legal counsel be present during further discussion on the proposals.

On motion by Miller, second by Dey, IT WAS VOTED to ask the City Manager to work with the City Council to approve funding for a city-wide survey (to assess citizens' views on park land in general, how it should and should not be used, and their support for a community tennis center and how one might be structured) done by a professional survey firm, the development of which would include Park Board members, and that the Board wait for the results of that survey before the issue of the Ralph Wulz Riverside Tennis center comes back to the board for a decision on which proposal to recommend. She added that if funding was not approved for a survey, that the Board meet for a special meeting before November 23. Motion carried 5 to 0. (Harris abstained.)

2. **Review of Kingsbury Site.** Lee Engler – Wilson Darnell Mann, PA. Chuck Hill – Cornejo & Sons, Inc. Director Kupper stated that the City had developed a Request for Proposal (RFP) to mine aggregate material from the Kingsbury Tract, which was adjacent to Brooks Landfill. He said in 2001 the City also conducted a study on developing the Kingsbury Site for public use, using the revenue from the sand mining operation to fund park improvements. He commented that Cornejo & Sons, Inc. was the successful bidder on the sand mining operation.

Director Kupper introduced Lee Engler, Landscape Architect - Wilson Darnell Mann (WDM), PA, Larry Hoetmer - City Landscape Architect, and Chuck Hill – Cornejo & Sons, Inc. He commented that Cornejo & Sons, Inc. had hired WDM to design the site plan for the area. He added that the plan was scheduled to be presented to the District Advisory Board VI next month.

Lee Engler referred board members to a map of the proposed site design provided with the agenda. He commented that the area was approximately 463 acres in size and that the plan included about 230 acres of water. He stated that there would be two gated entrances into the park, one from West Street and one from 45th Street and Hoover Road. He said the West Street entrance road would ring around a small water feature/fountain and then continue north to a playground area and nature trails and the first lake, which would have a small swimming beach, small boat rental area for paddle boats and canoes, concession area, and several parking areas.

Mr. Engler said the second lake (consisting of approximately 140 acres) would be for personal watercraft such as jet skies and wind surfing and sporting events like water ski tournaments. He said the area also had a lakeside public pavilion, open field, playground, picnic shelters, concessions and

gazebo and biking trail and mountain bike trail on the west side of the lake. He added that there was also twenty acres of developable land just north of the area. He said south of the second lake, the third lake had been developed for more passive activities such as fishing and bird watching. He said the lake also had a heated pier and dock, boat ramp and lookout.

Mr. Engler continued by stating that the southwest corner of the park consisted of three football/soccer fields, four softball/baseball fields, parking lots, concession stand and a maintenance yard at the corner of K-96 Highway and Hoover Road. He concluded by saying that WDM included as many different functions as possible into the park design.

President Bailey asked how deep the proposed lakes were and expressed concern that remediation at Brooks Landfill might affect the site. Chuck Hill, Cornejo & Sons, Inc., indicated that the lakes were anywhere between 30-35 feet deep, and a bit deeper in some areas to accommodate all the proposed activities. Lee Engler commented that they have been working with the Kansas Department of Health and Environment (KDHE) on the proposed site development. Larry Hoetmer added that the Kansas Department of Wildlife and Parks, in conjunction with the City's Environmental Health Department, was conducting a study on the existing pond at the site and that early indications were good. He added that plume effects of Brooks Landfill on the Arkansas River were also being studied. Bob Aldrich commented on keeping the run-off from Brooks Landfill separate from the Arkansas River and mentioned meters and other devices at Brooks Landfill. Lee Engler explained that meters were already in place at Brooks.

Bob Aldrich asked about the time line for the project and when the site would be available to the public. Chuck Hill explained that Cornejo's lease with the City for the sand mining operation was up to twenty years. He said the Council asked for a "phasing" plan, so they decided to develop a plan for the northeast section of the property first. Director Kupper reported that Brooks would be used as a construction and demolition landfill site for ten more years. Mr. Hill also mentioned the rail corridor project they would be working on that would take approximately eight hundred thousand tons of fill sand. He added that was a lot of sand for one project.

Responding to a question from Janet Miller, Director Kupper explained that the City received .15 cents per ton for sand and aggregate. He said the City wanted all of the dirt from the site for coverage and closure of the construction and demolition landfill at Brooks. Janet Miller asked if the funds were in a separate account for site development. She said she envisioned the funds being gone ten years from now if they were being deposited into the general fund. President Bailey said she believed the funds were specifically earmarked for the project. Bob Aldrich also expressed concern regarding insuring that development funds were there for the future project. Director Kupper suggested board members speak to their respective Council representatives. Greg Ferris commented that previous City Council decisions could not be binding on the current City Council. He said a motion could be made to change the proposed project funding at any time.

President Bailey asked Larry Hoetmer (City Landscape Architect) for his opinion on the project. Mr. Hoetmer stated that he was very encouraged by the project and added that they had worked through several versions before arriving at the current proposal. He said he liked the balance of active and passive areas. He mentioned a similar 20-25 year mining reclamation park project named Independence Grove, Lake County Forest Preservation north of the Chicago area that was featured in *Landscape Architect Magazine*. He said the project served as a good model and generated a lot of

good ideas. He said he interviewed the group involved in the project for additional information and guidance. He concluded by saying that he thought it was a good long-range plan.

On motion by Aldrich, second by Harris, IT WAS UNANIMOUSLY VOTED to recommend acceptance of the concept for development of the Kingsbury Site as presented.

3. **Discussion of Land Use Survey.** Director Kupper stated that the next time a survey was taken, he would obtain Park Board input on the questions. Janet Miller requested background information on the survey including how the survey questions were developed and who developed it. She said she wanted to know if the Park Department had any input into the process.

Director Kupper commented that he worked with the City Manager's Office to develop the survey document through his blackberry while he was attending the National Recreation and Park Association (NRPA) Conference in Nevada. However, he was unaware of when the survey was scheduled to be posted to the City's WEB Site. Bob Aldrich asked and why the Park Board wasn't involved in development of the survey. Director Kupper explained that the survey idea was created in the City Manager's Office. There was brief discussion concerning several issues on use of public land and parkland by both non-profit and for-profit groups.

Greg Ferris said there was a variety of ways the City obtains public input on issues including public hearings, District Advisory Board (DAB) meetings and others; however, he did not believe in governance by surveys. He added that when he was a City Councilman, he made a motion specifically to protect the Kingsbury Tract. Director Kupper mentioned Councilwoman Cole's motion to use money from the sand mining operation at Kingsbury to develop the property as a park.

President Bailey mentioned the editorial in the *Wichita-Eagle* entitled "**Input** Better utilize city boards", which she said spoke to the issue of the City Council not listening to the recommendations of volunteer boards. She said she agreed with the need for public input on a variety of issues.

There was discussion concerning the survey. President Bailey said several people informed her that it was possible to respond to the survey more than once. There was discussion concerning information technology such as "cookies". Director Kupper indicated he would check with IT/IS.

President Bailey asked if there were any comments from the public. The following individual spoke:

- Kathy Dittmer – commented that if the survey was on the Internet, the City was not reaching people who didn't have computers. She said she was concerned about identifying where the information came from and reaching all citizens.

Janet Miller suggested asking Wichita State University to conduct future surveys. She added that democracy was often messy and time consuming. President Bailey asked about staff providing a summary of the survey. Director Kupper said it appeared that there was a 50/50 split on profit versus non-profit use of public land. President Bailey also mentioned the re-occurring theme in the survey of not spending any "additional taxpayer money".

- M.S. Mitchell - commented that he had spent most of his life working on a project (the Wichita-Valley Center Flood Control Project) that he didn't think would have happened if it had gone through the democratic process.

Director Kupper commented that the survey results had been provided to board members in order for them to draw their own conclusions. He said since the Board has indicated that the survey document was inadequate, he could provide an analysis, but he did not know what value it would have. President Bailey asked that staff provide a survey synopsis to the Board.

4. **Director's Update.** Director Kupper reported briefly on the following items:

- **El Zocalo.** Director Kupper stated that staff was trying to locate alternative sites for the proposed El Zocalo community center around the 25th and Arkansas area in the vicinity of Evergreen Park.
- **Charter Ordinance No. 125.** Reported that the Law Department was drafting a new charter ordinance relative to parkland. He said he would provide the Board a copy of the draft as soon as it was available.
- **Voting by Ballot.** Colleen Craig asked about "silent voting" or voting by ballot. Director Kupper commented that he thought voting by ballot could be part of a motion, but that voting would have to be announced after the ballots were counted; however, he suggested that staff get clarification from the Law Department.

5. **Executive Session.** Due to the time, it was the general consensus of the Board to defer the Executive Session item until the December meeting.

There being no further business, the meeting adjourned at approximately 7:40 p.m.

June Bailey, President

ATTEST:

Maryann Crockett, Clerk
Recording Secretary